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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,316	10/20/2000	Sung Bae Jun	P-140	5754

7590	12/15/2004	EXAMINER

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EXAMINER
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ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-14* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-14* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some *   c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *10/20/00, 6/20/03*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

2.   Claims 1- 7 and 12-13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Collings (5,828,402) in view of the admitted prior art in the

specification pages 1-4, Figs. 1-2).

Regarding claim 1, Collings discloses a method for providing multi level

digest stream (Abstract) comprising:

searching user preference information having a user preference/non preference level by categories for a multimedia stream (columns 5 and 6, column 11, lines 37-65); and

reconstructing a multi-level digest stream information on the multimedia stream as an adaptive multi-level digest stream information according to the user preference information, using both the searched user preference information/user reference/non-preference levels (column 10, lines 10-27, column 17, lines 32-68, column 28, lines 20-45).

Collings fails to specially teach using a content-based data in reconstructing multi-level digest steam information .

The admitted prior art , Fig. 1 and page 1 in the specification, teaches using content-based data as an additional data to the user preference information for generating digest stream information .

It would have been obvious to one of ordinary skill in the art to modify Collings with the admitted prior art by using content based data in additional to the use preference for reconstructing the multi-level digest stream information in order to reduce the labor and time of user in searching the favorite media stream .

Method claim 12 corresponds to apparatus claim 1. Therefore method claim 12 is rejected by the same reason as applied to apparatus claim 1.

Regarding claim 2, Collings as modified with the admitted prior art further teaches the user-adaptive multi-level digest stream information is dynamically provided according to the user preference information (column 17, lines 35-40).

Regarding claim 3, Collings as modified with the admitted prior art further teaches the content base data is a description of information including characters, director, production company, appearance/status of an audiovisual object, occurrence of an event, segment characteristics, audiovisual background and segment information. However, it is noted that using a description of information including characters, director, production company, appearance/status of an audiovisual object, occurrence of an event, segment characteristics, audiovisual background and segment information (See the admitted prior art , pages 1-2 in the specification).

Regarding claim 4, Collings as modified with the admitted prior art further teaches the user preference information is generated by data editing of the user sine the preference information and content –based can be selected and changed by the user .

Regarding claim 5, Collings as modified with the admitted prior art further teaches the user preference information is generated by data editing of the user since the preference information can be changed by the user.

Regarding claim 6, Collings further teaches the multi-level digest stream information is formed as a multi-level digest segment information scheme containing the importance level of segments of the multimedia stream and the segment information (columns 5-7, column 10, lines 21-30) .

Regarding claim 7, Collings further teaches using a memory for storing the user

preference information but fails to specifically teaches the user preference information is

stored in an external portable nonvolatile memory unit being a smart card, a nonvolatile

memory unit of a predetermined server or a nonvolatile memory unit of a client device.

However, it is noted that that using an external memory for storing the use preference

information is well known in the art as taught by the admitted prior art in the

specification, page 4. Therefore it would have been obvious to one of ordinary skill in

the art to modify Collings with the admitted prior art by using an external nonvolatile

memory for storing the user preference information thereby   facilitating   replacing the

memory when needed.

Regarding claim 13, Collings as modified with the admitted prior art further

teaches providing a user-adaptive multi-level digest stream according to the generated

multi-level digest stream information (See Collings column 10, lines 10-27, column 17,

lines 32-68, column 28, lines 20-45, the admitted prior art Fig. 1-2).

3.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Collings

view of the admitted pro art as applied to claim 13 above, and further in view of Ellis et

al (US 2003/0020744 A1) .

Regarding claim 14, Collings as modified with the admitted prior art fails to

teaches that the user preference information is learned from a pattern of accessing to

multimedia contents by the user.

Ellis teaches that the preference can be learned from a pattern of accessing

the multimedia by using history accessing multimedia of the user (pages 10-11, section

0107 – 0110).

It would have been obvious to one pf ordinary skill; in the art t modify Collings

with Ellis by using the teaching of Ellis to provide the user preference information that

learned from   pattern of accessing multimedia of the user as additional preference

information use for determining a desired media stream .

4.   Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Collings (5,828,402) in view of Ellis et al (US 2003/0020744 A1).

Regarding claim 8, Collings discloses a method for providing user-adaptive

multi-level digest stream, comprising:

reading out user preference information of the user who has requested a digest

stream (column 9, lines 39-52, column 17, lines 30-40);

readjusting an importance level of digest segments of information on a requested

multi-level digest stream according to the read user preference information (column 10,

lines 1o-30, column 18, lines 35-65); and

providing the requested digest stream of a user-requested length using the

adjusted importance level of the digest segments (column 10, lines 10-30, column 18,

lines 53-65).

Collings fails to teach discriminating a user request .

Ellis teaches discriminating a user request and reading the user preference information based on the user request (Pages 8-9, sections 0089 –0095).

It would have been obvious to one of ordinary skill in the art to modify Collings with Ellis by providing discriminating a user request in order to preventing error in reading the user preference information .

Regarding claim 9, Collings as modified with Ellis further teaches among the digest segments whose content-based data is consistent with the user preference information, the importance level of the digest segment preferred by the user is increased and the importance level of the digest segment non-preferred by the user is decreased by comparing the content-based data for the digest segment and the user preference information in the readjusting step since the user can select and adjust the preference level and content based data (See Collings , column 6, column 10, Ellis page 9, section 0092-0095).

Regarding claim 10, Collings as modified with Ellis further teaches the importance level is readjusted by adding a predetermined weight value to the user preference level of a preferred category since the user can select and change the level (See Collings , column 6, Ellis page 9 section 0095).

Regarding claim 11, Collings as modified with Ellis further teaches the user preference information includes user preference/non-preference levels by multimedia categories (See Collings column 10, Ellis page 9, sections 0092-0095).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Revis and Kataoka et al teach selecting scene of a program

based on setting categories .

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-

4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

H.N

HUY NGUYEN
PRIMARY EXAMINER